

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PB LIFE AND ANNUITY CO., LTD., *et al.*,

Debtors in Foreign Proceedings.

Chapter 15

Case No. 20-12791 (LGB)

(Jointly Administered)

JOHN JOHNSTON and EDWARD WILLMOTT, as Joint Official Liquidators on behalf of PB LIFE AND ANNUITY CO., LTD., and as Joint Provisional Liquidators on behalf of NORTHSTAR FINANCIAL SERVICES (BERMUDA) LTD., OMNIA LTD., and PB INVESTMENT HOLDINGS LTD. and PB LIFE AND ANNUITY CO., LTD., NORTHSTAR FINANCIAL SERVICES (BERMUDA) LTD., OMNIA LTD., and PB INVESTMENT HOLDINGS LTD.,

Plaintiffs,

v.

GREGREY EVAN LINDBERG A/K/A GREG EVAN LINDBERG, *et al.*,

Defendants.

Adv. Proc. No. 23-01000 (LGB)

THIRD AMENDED SCHEDULING ORDER FOR MOTIONS TO DISMISS

WHEREAS, on November 16, 2023, the Court entered the *Scheduling Order for Motions to Dismiss* (the “Scheduling Order”) [ECF No. 182], establishing a briefing schedule for any outstanding motions to dismiss filed by the Exhibit A Defendants and/or Consenting Defendants (the “Applicable Defendants”) in response to the Amended Complaint; and

WHEREAS, on December 15, 2023, the following motions to dismiss were filed: (i) 763 Defendants’ Motion to Dismiss Plaintiffs’ Amended Complaint and Alternative Motion to Stay [ECF Nos. 209 & 210] (the “Lindberg et al. MTD”); (ii) Edwards Mill Asset Management’s Motion to Dismiss Amended Complaint [ECF No. 212] (the “EMAM MTD”); and (iii) Pavonia Life Insurance Company of Michigan and Axar Capital Management L.P.’s Motion to Dismiss Amended Complaint [ECF Nos. 215, 216] (the “Pavonia and Axar MTD”); and

WHEREAS, on February 13, 2024, the Court entered the *Amended Scheduling Order for Motions to Dismiss* (“Amended Scheduling Order”) [ECF No. 256], ordering that the May 21, 2024 hearing on the motions to dismiss be held in person; and

WHEREAS, on February 14, 2024, the Plaintiffs filed the Restated Amended Complaint [ECF No. 257]; and

WHEREAS, on February 15, 2024, the Court entered the *Second Amended Scheduling Order for Motions to Dismiss* (“Second Amended Scheduling Order”) [ECF No. 264], ordering that the Scheduling Order, Amended Scheduling Order, and the Second Amended Scheduling Order apply to the Restated Amended Complaint; and

WHEREAS, on March 15, 2024, Plaintiffs filed their opposition to each of the Lindberg et al. MTD, EMAM MTD, and Pavonia and Axar MTD; and

WHEREAS, on April 15, 2024, Plaintiffs’ counsel filed a letter requesting an adjournment of the May 21, 2024 hearing pertaining to the Lindberg et al. MTD and EMAM MTD [ECF No. 309]; and

WHEREAS, on April 19, 2024, a status conference was held to address Plaintiffs’ letter request.

IT IS HEREBY ORDERED THAT:

1. The May 21, 2024 hearing concerning the Lindberg et al. MTD, EMAM MTD, and Pavonia and Axar MTD is adjourned to September 24, 2024 at 10:00 a.m. in person.
2. The April 30, 2024 deadline to file the respective replies in support of the Lindberg et al. MTD, EMAM MTD, and Pavonia and Axar MTD is hereby extended to September 6, 2024.
3. Except as expressly modified herein, the Scheduling Order, Amended Scheduling Order, and Second Amended Scheduling Order remain in full force and effect.
4. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: April 17, 2024

SO ORDERED

/s/ Lisa G. Beckerman

THE HONORABLE LISA G. BECKERMAN
UNITED STATES BANKRUPTCY JUDGE